

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Contini, Arturo
Serial No: To be assigned
Filed: October 20, 2003 (herewith)
For: **BALSAMIC SAUCE FOR ALIMENTARY
USE, WITH A BASIS OF BALSAMIC
VINEGAR OF MODENA**

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the correspondence is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated below, addressed to: MAIL STOP NEW APPLICATION Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450, on October 20, 2003

Date: October 20, 2003

Express Mail No. EV216106755US

Name: Kim Wright

Signature: Kim Wright

Prior U.S. Application:

In re Application of: Contini, Arturo
Serial No.: 09/897,986
Filed: July 5, 2001
For: **BALSAMIC SAUCE FOR ALIMENTARY USE, WITH A BASIS OF
BALSAMIC VINEGAR OF MODENA**

Examiner: Bhat, Nina NMN

Group Art Unit: 2457



MAIL STOP NEW APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CONTINUATION APPLICATION
REQUEST TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(b) of prior Application Serial No. 09/897,986, filed on July 5, 2001, entitled **BALSAMIC SAUCE FOR ALIMENTARY USE, WITH A BASIS OF BALSAMIC VINEGAR OF MODENA**

☒ Enclosed are true and accurate copies of the specification, claims and abstract of prior application Serial No. 09/897,986 and a copy of the executed Declaration in the prior application. No new matter has been added.

☒ The filing fee is calculated on the basis of the claims existing in the prior application, less any claims canceled at paragraph 2 below and increased by any claims added in any Preliminary Amendment enclosed herewith, as follows:

			SMALL ENTITY			OTHER THAN A SMALL ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEE		RATE	FEE
TOTAL CLAIMS	3	0	x 9.00	\$	<u>or</u>	\$18.00	\$ 0
INDEP CLAIMS	2	0	x 43.00	\$	<u>or</u>	\$86.00	\$ 0
MULTIPLE DEPENDENT CLAIM PRESENTED			x 145.00	\$	<u>or</u>	\$290.00	\$0
BASIC FEE			\$385.00	\$	<u>or</u>	\$770.00	\$
			TOTAL	\$	<u>or</u>	TOTAL	\$

1. ☒ A Preliminary Amendment is enclosed.
2. ☒ Cancel in this application original claims 2 to 9 of the prior application, before calculating the filing fee.
3. ☒ Amend the Specification by inserting the words -- This application is a Continuation of application Serial No. 09/897,986, filed July 5, 2001. -- at page 1, line 1.
4. ☒ Applicant claims small entity status.
5. ☒ Priority of application Serial 2000 MI 02832 filed on December 27, 2001 in the Italian Patent Office is claimed under 35 U.S.C. § 119.
6. ☒ The prior application Serial No. 09/897,986 is assigned of record to Acetum S.R.L.
7. ☒ a. A Substitute Power of Attorney was filed in the prior application. A copy of it is attached.
- ☐ b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

☒ c. As indicated in the Substitute Power of Attorney filed in the prior application, please address all future communications to the Attorney of Record at the below address:

CUSTOMER NO. 31013
Kramer Levin Naftalis & Frankel LLP
919 Third Avenue
New York, New York 10022
(212) 715-9257

8. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR § 1.53(d)(4).

☐ a. **DELETE** the following inventor(s) named in the prior nonprovisional application:

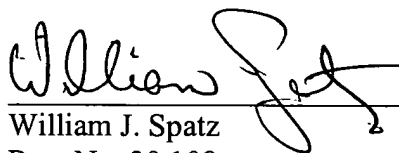
☐ b. _____
The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

9. ☒ Information Disclosure Statement (IDS) and PTO-1449 are enclosed.

10. ☒ The Commissioner is hereby authorized to charge the required filing fee of \$385.00 and any additional fees or credit any overpayment, by reason of this submission to Account No. 50-0540. A duplicate copy of this paper is enclosed.

Dated: October 20, 2003

By:



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